

How Gas Rebates Will Be Returned to N.Y. Consumers

Weather—Fair and colder to-night; Tuesday clear.

NIGHT EDITION

The



World.

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PRICE ONE CENT.

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HOW GAS REBATES HELD BY U. S. COURT WILL BE RETURNED

Those Who Have Overpaid Trust to Be Divided Into Classes and Get Money Back in Turn, Beginning Next Month.

The Evening World, with proper authority, to-day presents the general plan upon which the gas fund—representing the difference between the legal rate of 80 cents and \$1 rate extorted by the Gas Trust for a period of thirty-two months from its 750,000 consumers in Manhattan and the Bronx—will be distributed under the direct supervision of officers of the United States Circuit Court.

After the Special Master of the Gas Fund has completed his administration of the moneys due consumers, any surplus, either from unclaimed balances or accumulated interest at 2½ per cent., which the fund has earned in the seven National banks, will be returned in proper proportions to the six gas companies, the latter furnishing a bond to the court for the payment of all future just claims arising out of the Gas Trust's attempt to evade the Eighty-Cent gas law.

The original order granted by Judge E. Henry Lacombe, which the Gas Trust obtained on May 2, 1906, in its attempt to defeat the 80-cent gas law on the grounds that it was confiscatory and unconstitutional, does not provide for the payment of interest to the individual gas consumers on moneys placed in the custody of the Court. The order goes no further than to guarantee the return to each gas consumer of the exact overcharge should the 80-cent gas law prevail in the highest court, which it has.

NO INTEREST FOR CONSUMERS.

Doubtless many gas consumers expect interest on their gas balances. Some expect 2-1/2 per cent., which the gas fund has been drawing, and others seem to think that the United States Supreme Court has ordered the Gas Trust to pay them 6 per cent. Both are entirely wrong. The highest court has said that 6 per cent. was a fair return for the stockholders in the Gas Trust, people who had invested their money there, but the part of the decision referring to interest charges bears no relation to the gas consumers or their gas fund in the lower court.

The accumulated interest of 2-1/2 per cent. will be used for the benefit of the consumer in getting his money to him with celerity. It would require a force of 750 expert accountants, working for weeks, at a cost of not less than \$100,000, to arrive at the specific amount of interest due each consumer and it would result in numerous complications. Interest for the gas consumer is therefore declared entirely out of the question.

GAS TRUST TO CO-OPERATE.

Already Special Master John A. Shields, in charge of the gas fund, who is also clerk of the United States Circuit Court, has begun to arrange for the distribution of the gas fund. He will have the full co-operation of the officials of the Gas Trust, for the identification of the consumers entitled to rebate can only be made through the particular gas company supplying them.

Secretary Robert A. Carter, of the Consolidated Gas Company, in conjunction with representatives of the United States Circuit Court, has formulated a general plan to cover the class of consumers which come under the heading of Group A. Mr. Carter's company employs 100 collectors, each of whom visits ninety consumers a day. Mr. Carter's plan is for these collectors to give a receipt for the gas receipts in cases where they have all been kept, and then have checks written and sent to them by the Special Master after the account has been checked by him and by the company.

A great many consumers prefer to have the amount due them from the gas fund credited to their accounts on the books of the Gas Trust. This is true particularly of the patrons of the Consolidated Gas Company, which through an order signed last March by Judge Hough has not paid over the 20 per cent. in dispute to the gas fund. Whether the Gas Trust will write its check to cover the great sum it owes the gas fund for the last nine months or shall settle direct with its consumers for that period under the supervision of the Special Master has not been determined.

CLASS A IN FEBRUARY.

Paying off the consumers in Group A will take the entire month of February.

Consumers who find themselves in Group B it is expected will be reached early in March. Then will follow the various other groups. Full opportunity will be given heirs or assigns to present their claims before the Special Master, but in no instance will there be long lines of gas consumers formed. The interest fund, which represents no inconsiderable figure, will be used for the express purpose of making the return of the gas fund entail no hardship on the public.

An announcement of importance will be forthcoming from the Gas Trust early this week. On Tuesday afternoon there will be a meeting of the Executive Committee of the Consolidated Gas Company in the National City Bank Building. John W. Sterling, chief counsel for all the companies which make up the combine, will report the precise terms upon which a rehearing will be asked of the United States Supreme Court. The application for a rehearing will be the vehicle through which the Gas Trust will make some points to serve as a foundation in possible future litigation, but that the application will be denied some of the Gas Trust's own directors candidly admit.

VICTORY IS ALREADY WON.

The Evening World, which began its fight for a reduction in the cost of gas to the consumer early in 1905, knows now a great victory has been won for the people and has not sought to hamper the distribution of the gas fund. Mass meetings and petty litigation, belated and spectacular in character, are a form of agitation greatly deplored by officers of the United States Circuit Court. It has tended to develop new friction between the employees of the Gas Trust and consumers at a time when the latter are just about to harvest the fruits of the victory, and in which they are sole beneficiaries.

SHOT PURSUER IN MOB AT POLICE HEADQUARTERS

Fugitive, Accused of Insulting Woman, Wounded Man Who Stopped Him.

WOMAN TRIED TO STAB.

Alleged Victim Attacked Prisoner as He Was Taken From Riotous Crowd.

There was a rough and tumble riot that began in front of Chest's artificial flower and feather factory, No. 21 Bond street, at noon to-day when the employees were swarming into the street for lunch. It began with snowballing and horseplay and ended with revolver shooting and the flashing of knives in Mulberry street in front of Police Headquarters.

The horse-play was merry enough, until Pietra Chiasolo, a buxom young married woman, screamed that a man who was scuffling with her had been unduly familiar. She went into a towering rage, screaming and striking with her fists at everybody within reach. Her brothers, who were in the crowd, rushed to her aid and she pointed out a man, running toward Lafayette street, as the man who had insulted her.

Crowd Chased Red-Handed Man.

The whole crowd, fighting and pushing, started in pursuit. Ahead was Angelo Guastello, who lives in Elizabeth street. He had drawn a revolver and was shooting at intervals and at nothing in particular. He ran through Lafayette street, and on Bleecker to Mulberry street, toward Police Headquarters. His hands were red from powder dyes and he brandished the revolver as he ran.

Opposite Police Headquarters Giuseppe Rubino, of No. 32 Mott street, who thought Guastello was an escaping murderer, grappled with him. They rolled in the snow until Guastello got his revolver against Rubino's body and fired.

The shot brought persons swarming out of the police building and the houses across the way. Frederick J. Barth, of No. 312 East Seventy-third street, caught Guastello and held him until Telegraph policemen M. B. McGrath and Walter Schneider got hold of him.

Prevented Woman From Stabbing.

Detective O'Neill met them at the steps of Police Headquarters and was helping them carry Guastello across the sidewalk, kicking and struggling, when Mrs. Chiasolo, who had followed with the whole crowd from Chest's factory, wormed in between the policeman and the prisoner. O'Neill caught her arm just as she raised a knife to stab Guastello in the back. She thought he was the man who had affronted her.

She was arrested, but passed the knife to Baldessero Rubino, a feather workman, who threw it into the airway in front of the Headquarters windows. He was arrested. So were three or four other Italians who were fighting in the mob which filled the streets in front of the building.

Giuseppe Rubino, the man who was shot, was not seriously injured. He was taken to St. Vincent's Hospital.

SATTERLEE AT NAVY YARD.

Herbert L. Satterlee, Assistant Secretary of the Navy, is in New York to-day making an inspection of the Brooklyn Navy Yard. He is a member of the Naval Board of Reconstruction and his inspection is in connection with the improvements under way and in contemplation.

IS BALDNESS DOOMED?

Baltimore Specialist Says It's Unnecessary to Fret Over It.

BALTIMORE, Jan. 18.—The latest incident to the wonderful work that is being accomplished in this and other cities by William Charles Keene, President of the Lorimer Institute, continues unabated. Many cases of baldness and faded hair of years' standing have been remedied by the remarkable preparation which is being distributed from Mr. Keene's laboratory, and its fame is spreading far and wide. As a consequence thousands of persons are using this remarkable hair food with most gratifying results.

What seems to make this treatment more popular is the fact that free trial outfits are sent by mail prepaid. Those who wish to try it are strongly advised to write to Mr. Keene at the Lorimer Institute, Branch 165, Baltimore, Md. They will receive the full trial outfit free of charge and much useful information about the hair which will put them on the road to a rapid and certain improvement. Advt.

DR. WOODBURY, BEAUTY EXPERT, SHOOTS HIMSELF

Dermatologist Whose Face Is Widely Known Through Advertisements a Suicide.

WORRIED OVER A SUIT.

Had Made Fortune Out of Business in Which He Was a Pioneer.

Dr. John H. Woodbury, the beauty expert and dermatologist, whose likeness is familiar wherever there is a billboard in this country because of his extensive advertising, shot and killed himself to-day in his room in the Seaside Inn, Coney Island.

Woodbury was fifty-eight years old and had made a large fortune. He owned the Sea Cliff Inn and leased it to Mrs. Ernestine Dillon, who closed it for the winter, leaving a caretaker, Louis Bauer, in charge. For several winters it has been the habit of Woodbury to live alone at the inn, and a suite of rooms was especially furnished for him.

At about 11 o'clock to-day Bauer, walking along the hall on the second floor, smelled smoke near Woodbury's room. He tried the door, but found it locked, and thinking the house might be afire, broke in. There he found the owner of the hotel unconscious and partially dressed, lying on the bed, the sheets and coverlet of which were in a blaze. On the floor near by was a .38-calibre pistol, two chambers of which were empty.

Put Out the Blaze.

Bauer thrashed out the blazing bedclothes and then turned his attention to the doctor. There was a wound behind the left ear and one in the right side of the abdomen. Bauer is not positive whether Woodbury was dead when he broke in the door, but Ambulance Surgeon Klein, who came at about 1 o'clock—the delay being caused by the storm having broken down the telephone wires—said the shot in the head must have caused instantaneous death. The body was taken to the West Eighth Street Morgue at Coney Island.

The only reason that Woodbury's friends at the island assign for his suicide was worry over a \$50,000 suit for slander, begun against him a week ago by Stephen Emmons, a wealthy contractor of Coney Island. Emmons was building a row of houses—an addition to the Seaside Inn—for Woodbury, and the men had a dispute over the price—\$20,000. After the quarrel Woodbury went to Emmons's house and abused the contractor to his wife, on which Emmons based his suit for slander.

Benjamin Patterson, of No. 302 Broadway, Manhattan, who was Woodbury's lawyer, said the beauty doctor left a fortune of more than \$50,000.

Lawyer Is Puzzled.

"I can imagine no reason why he should have killed himself," Mr. Patterson said, "unless it was because he had been drinking. He seemed to take a great interest in life, owned fast horses and an automobile, and it was as late as last Saturday that he arranged with me about the investment of \$50,000. He came here from Salem, Mass., and was of a good family. He was married twice and had not lived with his second wife for several years."

Dr. Woodbury was the pioneer in this country in the business of "beauty making." He founded the Woodbury Dermatological Institute, with headquarters at No. 20 West Twenty-third street, in 1890, and immediately commenced a campaign of advertising that employed every medium from newspapers to billboards and kiosks. His facial soaps and creams were advertised the country over, and on every advertisement there was a likeness of his own face.

Woodbury became very wealthy and a few years ago sold out his original institution to a company of which his cousin, William Woodbury, was a member. This company afterward got into trouble with the courts for advertising to practise medicine and last September went into the hands of a receiver. Dr. Woodbury later opened another establishment at No. 30 West Twenty-second street under the name of the John H. Woodbury Facial Cultivating Company.

He was last seen there Saturday, and it was noticed that he had been drinking heavily. He had sold a good deal of the stock in this concern, but was president and the advertising head. His business associates know little of his private life. He leaves a wife and a daughter, one living in Lawrence, Mass., and the other on Staten Island.

Fine New Turkish Baths
Now open at the new Putnam Building. Only first-class downtown establishment. Modern in every detail. Electric and Turkish baths at all hours. Also barber shop, open day and night.

Ex-Policeman on Trial for Murder and Girl He Is Accused of Killing



EX-POLICEMAN ON TRIAL FOR DEATH OF BARBARA REIG

David Shellard, Accused of Killing Girl, Says She Was a Suicide.

David Shellard, formerly a policeman, was placed on trial before Justice Crane in the Supreme Court, Brooklyn, to-day on an indictment which charges him with the murder of Barbara Reig. This woman was shot through the head in a shelter house in Irving Square Park on July 22, 1908, at 1 o'clock in the morning, and Shellard was with her when she died.

She was shot with his revolver. His defense is that she shot herself when he refused to desert his wife and baby and run away with her. The case promises to bring out sensational testimony as to how the police system protects a "brother officer" no matter how foul the crime charged against him.

One of the first witnesses called to-day—after the jury had been secured in about an hour and a half—was Michael Rickert, a policeman. He was a probationary officer in July, 1903, attached to the Hamburg avenue precinct, and on the night of July 21 was sent out with Shellard on Post No. 3 to learn how to patrol.

Juror Changes Mind.

Rickert showed an amazing lack of mental perception on the witness stand. Justice Crane, who presided at the trial of Thornton Hains, in Flushing, last week, finally reached over and said to the witness:

"Are you sober?"

"Sure, I'm sober, Judge, your Honor," replied Rickert.

"Then try to exercise a little common sense in answering questions," ordered the Court.

Rickert did not obey orders. Isaac Flato, of No. 24 Carlton avenue, was the first juror sworn. In natural course he would have been foreman of the jury, but when twelve men had been chosen he asked to be excused.

"What's the matter?" asked Justice Crane.

"I tell you, Judge," explained Flato, who weighs about 300 pounds and looks as if he might be about 20 pounds good nature. "I've changed my mind since I saw the defendant. I feel sympathy for him. I'm afraid my sympathy

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SENATE ASKED FOR THE ROOSEVELT LAW IN PANAMA INQUIRY

Senator Rayner Demands Light on Libel Proceedings, and Says Statute Under Which Action Is Taken Must Be Plainly Stated.

SOMETHING LIKE A RETURN TO THE OLD SEDITION LAWS.

Freedom of the Press Abridged if Constitution Is Not Strictly Followed—President of United States Can Prosecute Only as an Individual.

WASHINGTON, Jan. 18.—A resolution was introduced to-day by Senator Rayner, of Maryland, calling on the Attorney-General for information concerning the bringing of the suit for libel against certain newspapers. Mr. Rayner asked for immediate consideration, saying the only purpose was to get information whether this suit had been ordered, whether it was brought at the instance of the President, under what statute it had been ordered, and by what power and authority the courts are being used to forward this suit.

WILLETT RAKES ROOSEVELT, CALLS HIM A GARGOYLE

Also a Pigmy, "Our Jocular-ity," and One Who "Shows His Teeth at Real Heroes."

(Special to The Evening World.)

WASHINGTON, Jan. 18.—Congressman Willett, of New York, was taken off his feet in the House to-day on a call to order by Representative Hepburn, of Iowa, in the midst of one of the fiercest attacks on an executive ever uttered in the Congress of the United States. Mr. Willett had held President Theodore Roosevelt up to scorn and ridicule in about four thousand words of satire when he was interrupted. He had proceeded through less than one-third of his speech when he was stopped.

Representative Chandler, of Mississippi, moved that the House permit Mr. Willett to resume in order. The Democrats voted favorably to this, but the Republicans stood behind Representative Hepburn, Illinois; Langley, Kentucky; Madden, Illinois; Gardner, Massachusetts; and Hughes, of West Virginia, who insisted that the Speaker should not defame the President in the halls of Congress. The vote was 126 to 78, and Mr. Willett took his seat and was not permitted to proceed.

One Sentence Expunged.

One remark in the uttered speech was expunged from the record on a point of order by Representative Gardner. It alluded to the "persistent defamation of Admiral Schley." Chairman Butler of the committee of the whole sustained this point and the objectionable clause was expunged. Some member of the minority shouted "That's a historical fact," but the issue was not debated.

During the earlier portion of his speech Mr. Willett referred to the President as a "gargoyle." He modified this later and called him "the President." Other scorching references were tempered by the speaker, who read slowly from his manuscript.

That portion of Congressman Willett's

The suit which President Roosevelt is believed to have ordered brought against the Press Publishing Company, of New York, on account of publications in the New York World inspired the Rayner resolution.

Addressing the Senate in support of the resolution Mr. Rayner said there was no law which warrants a suit for libel of the Government.

"If any suit is being prosecuted," said Mr. Rayner, "we want to know under what statute it is being brought, because we ought to have an opportunity to repeal that statute on the ground that it is in violation of the Constitution, because it abridges the freedom of the press."

"If the Attorney-General is not proceeding under some statute then he is violating the laws of the country," Mr. Rayner said.

Mr. Lodge suggested that it was important to know whether this was a libel of the Government or was being brought by the Attorney-General on behalf of individuals.

Like Sedition Laws.

Mr. Rayner retorted that he proposed to show that the Circuit Courts have no jurisdiction in either case.

Senator Knox, interrupting, said that assuming that the position of the Senator from Maryland was sound, he still thought there were many matters for the defense to consider.

In response to a remark by Mr. Knox that he did not think it right to take up the cases of individuals and try them in the Senate before trying them in court, Mr. Rayner insisted that he was not interfering with the work of the courts, but calling for information in a very important case. If the Attorney-General, he said, was summoning these witnesses in Circuit Courts outside of the District of Columbia he was abusing the functions of the courts for "some ulterior purpose."

"This," declared Mr. Rayner, "is an attempted revival of the Sedition laws that happily went out of existence long ago. There were half a dozen persons convicted under the old Sedition laws when a Member of Congress was fined and imprisoned. But that law is out of existence, and there is no sedition law upon the statute books of the United States."

Mr. Rayner insisted that he was not charging the Attorney-General with doing anything he ought not to do. He wanted to know what the Attorney-General proposed to do and under what statute he is acting.

"There is no common law," he said, "that makes the libel of the Government a crime. It is not a common law of England. It is the statutory law of England that makes it a crime."

Violates Laws of Country.

"The District of Columbia," said Mr. Rayner, "adopts the statutes of Maryland, and there is no such statute in

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